UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ADDINGTON STEWART, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 4:04CV885 RWS
	)	
CITY OF ST. LOUIS,	)	
	)	
Defendant,	)	
	)	
and	)	
	)	
PAUL E. DAVIS, et al.,	)	
	)	
Intervenors.	)	

MEMORANDUM AND ORDER

This matter is before me on Plaintiffs' Motion to Reconsider [#196]. Plaintiffs ("FIRE") request that I reverse my ruling of June 9, 2006, granting Defendant and Intervenor's motion for partial summary judgment on the issue of intentional discrimination. The motion will be denied.

Rule 59(e) motions are not proper vehicles for raising new arguments or legal theories. Capitol Indemnity Corp. v. Russellville Steel Co., Inc., 367 F.3d 831, 834 (8th Cir. 2004). Rule 59(e) motions serve the limited function of correcting manifest errors of law or fact or to present newly discovered evidence. Id. (citations and quotations omitted).

The motion will be denied because FIRE has neither identified any manifest error of law or fact in my analysis nor identified any newly discovered evidence. FIRE has presented me with new arguments. Some of FIRE's new arguments are directly contradictory to the positions it took in opposing partial summary judgment. FIRE has also rehashed its previous arguments and attached evidence that was both available to them at the time they filed their opposition papers
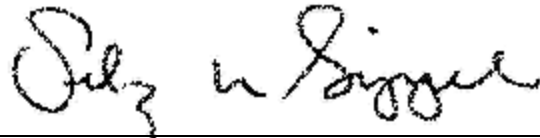
and fails to support their position.

Additionally, FIRE asks me to consider an affidavit filed in a 2002 case in federal court in the Northern District of Ohio. There is no evidence that the affiant has any personal knowledge about the facts in the case before me. And the proffered affidavit is not admissible evidence because the signature page of the affidavit does not match the body of the affidavit.

FIRE has failed to satisfy the requirements of Rule 59(e), and its motion to reconsider will be denied.

Accordingly,

IT IS HEREBY ORDERED that Plaintiffs' Motion to Reconsider [#196] is **DENIED**.

Dated this 17th day of August, 2006.

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RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE